

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
Plaintiff,)
)
v.)
)
MICHAEL R. O'NEILL)
Defendant,)
)
and)
)
VANGUARD GROUP)
Garnishee.)

1:04-CR-10231-006-MLW

CLERK'S NOTICE OF POST-JUDGMENT GARNISHMENT

TO: MICHAEL R. O'NEILL

You are hereby notified that non-exempt accounts are being taken by the United States of America which has a judgment in the sum of \$1,821,720.00. As of February 28, 2007, a balance of \$1,842,715.08 remains outstanding.

Also, you are hereby notified that there are exemptions under the law which may protect some of the property from being taken by the Government if you can show that the exemptions apply. Attached is a summary of the major exemptions that apply in Massachusetts.

You have a right to ask the court to return your property to you if you think you do not owe the money to the Government that it says you do, or if you think the property the Government is taking qualifies under one of the above exemptions.

If you want a hearing, you must notify the court within 20 days after receipt of the notice. Your request must be in writing. You must either mail it or deliver it in person to the Clerk of the United States District Court, 1 Courthouse Way, Suite 2300, Boston, MA 02210. You must

also send a copy of your request to the United States Attorney's Office, Financial Litigation Unit located at One Courthouse Way, Suite 9200, Boston, MA 02210, so the Government will know you want a hearing.

The hearing will take place within 5 days after the Clerk receives your request, if you ask for it to take place that quickly, or as soon after that as possible.

At the hearing you may explain to the judge why you think you do not owe the money to the Government. If you do not request a hearing within 20 days of receiving this notice, your property may be sold at public auction and the proceeds of the sale paid on the debt you owe the Government.

If you think you live outside the Federal judicial district in which the court is located, you may request, not later than 20 days after you receive this notice, that this proceeding to take your property be transferred by the court to the Federal judicial district in which you reside. You must make your request in writing, and either mail it or deliver it in person to the Clerk of the United States District Court. You must also send a copy of your request to the United States Attorney's Office - Financial Litigation Unit, so the Government will know you want the proceeding to be transferred.

Be sure to keep a copy of this notice for your own records. If you have any questions about your rights or about this procedure, you should contact a lawyer, an office of public legal assistance, or the clerk of the court. The clerk is not permitted to give legal advice, but can refer you to other sources of information.

SARAH A. THORNTON

CLERK, UNITED STATES DISTRICT COURT

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NOTICE OF GARNISHMENT AND INSTRUCTIONS

TO: MICHAEL R. O'NEILL

YOU ARE HEREBY NOTIFIED that a Garnishment was issued based upon a judgment entered against you on November 20, 2006, and the Garnishment was served on the Garnishee, Fidelity Investment, and it is believed that the Garnishee may have property of yours in their custody, possession or control.

YOU ARE FURTHER NOTIFIED that, unless within twenty (20) days from the date of receipt of the Answer of the Garnishee, you file a written objection to explain why you think these funds are exempt from execution under state or federal law and request a hearing, a Court Order will be entered attaching the funds or property to be applied against the judgment owed the United States of America.

Any objection that you file to contest the garnishment must be filed in the office of the Clerk of the United States District Court, One Courthouse Way, Suite 2300, Boston, MA 02210. The objection must state your reasons for believing that this property is not subject to attachment by the United States of America. A copy of the objection or other pleadings must also be served

on Christopher R. Donato, Assistant U.S. Attorney, Financial Litigation Unit, One Courthouse Way, Suite 9200, Boston, MA 02210.

YOU MAY WISH TO CONSULT A LAWYER FOR ADVICE AS TO THE MEANING OF THIS NOTICE.

UNITED STATES OF AMERICA
By its attorneys

MICHAEL J. SULLIVAN
United States Attorney

By:

/s/ Christopher R. Donato
CHRISTOPHER R. DONATO
Assistant U.S. Attorney
1 Courthouse Way, Suite 9200
Boston, MA 02210
(617) 748-3303

Dated: March 2, 2007